

# EXHIBIT 1

No. 13-35038

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UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

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ANGELO DENNINGS, *et al.*, on behalf of himself and  
all others similarly situated,  
*Plaintiffs-Appellees,*

v.

CLEARWIRE CORPORATION,  
*Defendant-Appellee,*

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GORDON B. MORGAN and JEREMY DE LA GARZA,  
*Objectors-Appellants.*

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On Appeal from the United States District Court  
for the Western District of Washington. Case No. 2:10-cv-1859-JLR  
The Honorable James L. Robart

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MOTION FOR VOLUNTARY DISMISSAL

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Christopher A. Bandas (00787637)  
BANDAS LAW FIRM, P.C.  
500 North Shoreline, Suite 1020  
Corpus Christi, Texas 78401  
Telephone: 361/698-5200  
Facsimile: 361/698-2222

Donald H. Heyrich (23091)  
Heyrich Kalish McGuigan PLLC  
1325 Fourth Avenue, Suite 540  
Seattle, WA 98101  
Telephone : 206-838-2504  
Fax:206-260-3055

*Attorneys for Appellants Gordon Morgan and Jeremy De La Garza*

Pursuant to Fed. R. App. P. 42(b), objectors-appellants Jeremy De La Garza and Gordon Morgan hereby move for the voluntary dismissal of their appeal filed with the United States District Court for the Western District of Washington on January 18, 2013 (Dkt. 101).

DATED: May 15, 2013

Respectfully submitted,

/s/ Christopher A. Bandas

Christopher A. Bandas (*Pro Hac Vice*)  
Texas State Bar No. 00787637  
**BANDAS LAW FIRM, P.C.**  
500 North Shoreline, Suite 1020  
Corpus Christi, Texas 78401-0353  
Telephone: (361) 698-5200  
Facsimile: (361) 698-2222

Donald H. Heyrich, WSBA No. 23091  
**Heyrich Kalish McGuigan PLLC**  
1325 Fourth Avenue, Suite 540  
Seattle, Washington 98101  
Telephone : 206-838-2504  
Facsimile: 206-260-3055  
E-mail: DHeyrich@hkm.com

*Attorneys for Appellant Jeremy De La Garza  
and Gordon Morgan*

### **CERTIFICATE OF SERVICE**

I hereby certify that on this day I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system thus effectuating service of such filing all ECF registered attorneys in this case. I further certify that I caused the foregoing document to be sent via U.S.P.S. First Class mail to the following participants, postage prepaid, at the address listed below:

Robert Prior  
2016 E. 6th Street  
Vancouver, WA 98661

Joshua Keller  
MILBERG LLP  
48th Floor  
One Pennsylvania Plaza  
New York, NY 10019-0165

DATED this 15<sup>th</sup> day of May 2013.

/s/ Christopher A. Bandas  
Christopher A. Bandas